IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR

FRIDAY, THE 28TH SEPTEMBER 2007 / 6TH ASWINA 1929

OP.No. 11364 of 1998(C)

PETITIONER:

N.R.SOMAN, AGED 43 YEARS,
S/O.RAGHAVAN, NADOOPARAMBIL,
THAMBALAKKAD P.O., KOTTAYAM DISTRICT,
KERALA.

BY ADV. SMT.DAISY THAMPI

RESPONDENTS:

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1. **STATE OF KERALA, REP: BY THE CHIEF SECRETARY, THIRUVANANTHAPURAM.**

2. **DIRECTOR OF VETERINARY, VIKAS BHAVAN, THIRUVANANTHAPURAM.**

3. **PROJECT OFFICER, PIGGERY DEVELOPMENT PROJECT, KAPPAD P.O., KOTTAYAM DISTRICT.**

BY GOVT. PLEADER SRI.P.N.SANTHOSH.

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 28/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ORDER ON CMP.NO.19684 OF 1998 IN OP.NO.11364 OF 1998-C.

DISMISSED.

28/9/2007. **Sd/- T.R.Ramachandran Nair, Judge.**

APPENDIX

Petitioner's Exhibits:-

Ext.P1: **Copy of the Order No.B2.3434/92/ dated 15.5.1992 issued by the 3rd respondent.**

Ext.P2: **Copy of the Government Circular No.9516/Adv.C1/92/P&ARD dated 17.3.1998 issued by the 1st respondent.**

Ext.P3: **Copy of the Judgment dtd.25.1.1996 in OP.No.3629/1990-F of this Hon'ble Court.**

Respondents' Exhibits:- **Nil.**

(true copy)

P.A. TO JUDGE.

Kvs/-

T.R.RAMACHANDRAN NAIR, J.

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O.P.No. 11364 of 1998-C.

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Dated this the 28th day of September, 2007.

J U D G M E N T

The petitioner is a casual labourer who was working under the 3rd respondent from 26.7.1992. The writ petition was filed complaining that the 2nd respondent may take steps to deny employment to the petitioner. The 2nd respondent has filed a counter-affidavit stating that there was no sanctioned post of permanent labourers at Pig Breeding Farm initially. The Government has allotted 10 posts of permanent labourers to the Farm, to which the senior most among the casual labourers were made permanent. This was being processed at the relevant time when the writ petition was filed.

2. It is averred in the counter-affidavit that the senior most ten persons are proposed for permanency by which the employment opportunity of the petitioner will not be diminished. It is also mentioned that the petitioner's turn for permanency will arise on the occurrence of future vacancy over and above the ten sanctioned posts or by quiting the service by senior hands. The counter-affidavit shows that the petitioner is the 13th rank as per the seniority list. This position is not disputed by filing reply-affidavit. In the light of the above averments, there is no surviving grievances as far as the petitioner is concerned and if there is any other subsisting grievance for

the petitioner, he can approach the competent authority by way of appropriate representation. Reserving the said right of the petitioner, this Original Petition is closed.

T.R.RAMACHANDRAN NAIR, JUDGE.

Kvs/-